

MESSAGE NO: 5132112 MESSAGE DATE: 05/12/1995

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ORD-Order PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-832

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/12/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING ORDER ON PURE MAGNESIUM FM THE PRC (A-570-832)

MESSAGE NO: 5132112

DATE: 05 12 1995

CATEGORY: ADA

TYPE: ORD

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 832

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PERIOD COVERED: 05 12 1995 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: ANTIDUMPING ORDER ON PURE MAGNESIUM FM THE PRC
(A-570-832)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON MAY 12, 1995, ITS ORDER IN THE ANTIDUMPING DUTY INVESTIGATION OF PURE MAGNESIUM FROM THE PRC.

2. THE PRODUCT COVERED BY THIS ORDER IS PURE PRIMARY MAGNESIUM REGARDLESS OF CHEMISTRY, FORM OR SIZE, UNLESS EXPRESSLY EXCLUDED FROM THE SCOPE OF THIS ORDER. PRIMARY MAGNESIUM IS A METAL OR ALLOY CONTAINING BY WEIGHT PRIMARILY THE ELEMENT MAGNESIUM AND PRODUCED BY DECOMPOSING RAW MATERIALS INTO MAGNESIUM METAL. PURE

PRIMARY MAGNESIUM IS USED PRIMARILY AS A CHEMICAL IN THE ALUMINUM ALLOYING, DESULFURIZATION, AND CHEMICAL REDUCTION INDUSTRIES. IN ADDITION, PURE PRIMARY MAGNESIUM IS USED AS AN INPUT IN PRODUCING MAGNESIUM ALLOY.

PURE PRIMARY MAGNESIUM ENCOMPASSES: 1) PRODUCTS THAT CONTAIN AT LEAST 99.95% PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "ULTRA-PURE" MAGNESIUM); 2) PRODUCTS CONTAINING LESS THAN 99.95% BUT NOT LESS THAN 99.8% PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "PURE" MAGNESIUM); 3) PRODUCTS (GENERALLY REFERRED TO AS "OFF-SPECIFICATION PURE" MAGNESIUM) THAT CONTAIN 50% OR GREATER, BUT LESS THAN 99.8%, PRIMARY MAGNESIUM, BY WEIGHT, AND THAT DO NOT CONFORM TO ASTM SPECIFICATIONS FOR ALLOY MAGNESIUM.

"OFF-SPECIFICATION PURE" MAGNESIUM IS PURE PRIMARY MAGNESIUM CONTAINING MAGNESIUM SCRAP, SECONDARY MAGNESIUM, OXIDIZED MAGNESIUM, OR IMPURITIES (WHETHER OR NOT INTENTIONALLY ADDED) THAT CAUSE THE PRIMARY MAGNESIUM CONTENT TO FALL BELOW 99.8% BY WEIGHT. IT GENERALLY DOES NOT CONTAIN, INDIVIDUALLY OR IN COMBINATION, 1.5% OR MORE, BY WEIGHT, OF THE FOLLOWING ALLOYING ELEMENTS: ALUMINUM, MANGANESE, ZINC, SILICON, THORIUM, ZIRCONIUM, AND RARE EARTHS.

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE ALLOY PRIMARY MAGNESIUM, PRIMARY MAGNESIUM ANODES, GRANULAR PRIMARY MAGNESIUM (INCLUDING TURNINGS AND POWDER), AND SECONDARY MAGNESIUM.

GRANULAR MAGNESIUM, TURNINGS, AND POWDER ARE CLASSIFIABLE UNDER THE HTSUS SUBHEADING 8104.30.00. MAGNESIUM GRANULES AND TURNINGS (ALSO REFERRED TO AS CHIPS) ARE PRODUCED BY GRINDING AND OR CRUSHING PRIMARY MAGNESIUM AND THUS HAVE THE SAME CHEMISTRY AS

PRIMARY MAGNESIUM. ALTHOUGH NOT SUSCEPTIBLE TO PRECISE

MEASUREMENT BECAUSE OF THEIR IRREGULAR SHAPES, TURNINGS OR CHIPS ARE TYPICALLY PRODUCED IN COARSE SHAPES AND HAVE A MAXIMUM LENGTH OF LESS THAN 1 INCH. ALTHOUGH SOMETIMES PRODUCED IN LARGER SIZES, GRANULES ARE MORE REGULARLY SHAPED THAN TURNING OR CHIPS, AND HAVE A TYPICAL SIZE OF 2MM IN DIAMETER OR SMALLER.

POWDERS ARE ALSO PRODUCED FROM GRINDING AND OR CRUSHING PRIMARY MAGNESIUM AND HAVE THE SAME CHEMISTRY AS PRIMARY MAGNESIUM, BUT ARE EVEN SMALLER THAN GRANULES OR TURNINGS. POWDERS ARE DEFINED BY THE SECTION NOTES TO SECTION XV, THE SECTION OF THE HTSUS IN WHICH SUBHEADING 8104.30.00 APPEARS, AS PRODUCTS OF WHICH 90% OR MORE, BY WEIGHT, WILL PASS THROUGH A SIEVE HAVING A MESH APERATURE OF 1MM. (SEE, HTSUS, SECTION XV, BASE METALS AND ARTICLES OF BASE METALS, NOTE 6(B).) ACCORDINGLY, THE EXCLUSION OF MAGNESIUM TURNINGS, GRANULES, AND POWDER FROM THE SCOPE INCLUDES PRODUCTS HAVING A MAXIMUM PHYSICAL DIMENSION OF 1 INCH OR LESS.

THE PRODUCT SUBJECT TO THIS ORDER IS CLASSIFIABLE UNDER SUBHEADINGS 8104.11.00, 8104.19.00, AND 8104.20.00 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE IS DISPOSITIVE.

3. FOR FURTHER REPOSTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING CASE NUMBER: (A-570-832).

4. THE U.S. CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRY SUMMARIES OF PURE MAGNESIUM FROM THE PRC THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION, ON

OR AFTER NOVEMBER 07, 1994. EFFECTIVE MAY 12, 1995, CUSTOMS SHALL REQUIRE A CASH DEPOSIT FOR SUCH ENTRY SUMMARIES OF THE

SUBJECT MERCHANDISE ACCORDING TO THE FOLLOWING SCHEDULE:

MANUFACTURER/ EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
ALL	A-570-832-000	108.26%

5. ANY QUESTIONS BY CUSTOMS OFFICERS SHOULD BE DIRECTED VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY BRANCH USING ATTRIBUTE "HQ OAB." OTHER INTERESTED PARTIES SHOULD CONTACT DAVID J. GOLDBERGER OR LOUIS APPLE, OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-4136 OR (202) 482-1769, RESPECTIVELY.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party